



Security Council

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Letter dated 23 September 2010 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to paragraph 6 of Security Council resolution 1765 (2007) in which the Council decided that the Special Representative of the Secretary-General for Côte d'Ivoire shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards.

I am pleased to inform you that tomorrow, 24 September 2010, my Special Representative will be issuing the attached statement (annex I), certifying the final voters list, which was agreed upon by the Ivorian parties on 6 September 2010. I intend to issue a statement on the same day, which is also attached (annex II). As you are aware, my Special Representative will brief the Council on 28 September 2010 on the certification process in detail.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council for information.

(Signed) **BAN Ki-moon**

Annex I

[Original: English and French]

**Statement on the certification of the final voters list by
Choi Young-Jin, Special Representative of the
Secretary-General for Côte d'Ivoire****Abidjan, 24 September 2010**

1. The Security Council mandated me in resolution 1765 (2007) to certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in Côte d'Ivoire in accordance with international standards, and requested the Secretary-General to take the necessary steps to have at my disposal a support cell providing me with all the appropriate assistance to fulfil this task.

2. The Ouagadougou Political Agreement (signed in March 2007) recognized that the identification of the Ivorian and foreign populations living in Côte d'Ivoire is a major issue and that the absence of clear and standard identity documents and of individual administrative documents attesting to the identity and nationality of persons is a source of conflict. The parties agreed that all Ivorian citizens of voting age may be registered on the voters list. In order to register, they must be in possession of a birth certificate or duplicate birth certificate.

3. In Côte d'Ivoire, the ownership of the organization of elections belongs to the Ivorian authorities with the assistance of the United Nations Operation in Côte d'Ivoire (UNOCI). Consequently, I, as head of UNOCI, am to certify the elections without organizing them. Furthermore, when the office of High Representative for the elections was abolished in 2007 in the wake of the signing of the Ouagadougou Political Agreement, its two major functions, guidance and verification, were assigned to two separate entities. Guidance to help resolve any difficulty in the electoral process was integrated into the role of the Facilitator while verification became certification to be mandated to the Special Representative of the Secretary-General for Côte d'Ivoire.

4. With a view to assessing the certification under this specific context, I developed, in consultation with the key Ivorian stakeholders, the five-criteria framework for certification, which was subsequently referred to in paragraph 32 of the sixteenth progress report of the Secretary-General on UNOCI (S/2008/250). The framework defines broad benchmarks that enable me to assess whether: (a) a secure environment exists during the period leading to the elections and allows for the full participation of the population and the candidates in the process; (b) the electoral process is inclusive; (c) all candidates have equitable access to State-controlled media and whether the latter remain neutral; (d) the voters lists are credible and accepted by all parties; and (e) the results of the elections are determined through a transparent counting process and are accepted by all or are challenged peacefully through the appropriate channels.

5. The Security Council stressed that it would base its assessment of the electoral process on the certification to be prepared by the Special Representative consistent with the five-criteria framework referred to in document S/2008/250 and after

inclusive contacts with all stakeholders in Côte d'Ivoire, including civil society (resolution 1880 (2009)).

6. The certification of the final voters list focuses on six major steps that have spanned more than five years, such as the mobile courts operation, the reconstitution of the civil status registers, the identification of the population, the voter registration process, the establishment of the provisional voters list and the appeals process. At the successful conclusion of each of the first five steps, I duly certified each step "implicitly" through a press conference in which I made a positive evaluation of the work accomplished.

7. The most important of such examples is the "implicit" certification of the provisional voters list on 25 November 2009, which I characterized at a press conference as "solid, balanced and credible". This assessment was supported by a detailed analysis and illustrating tables of the provisional voters list, which consisted of 5,277,392 traced people, commonly known as the "white list", and 1,033,985 yet to be traced people, commonly known as the "grey list".

8. The certification of the final voters list, at this juncture, focuses on the appeals process, building upon the "implicit" certification of the previous five steps.

9. Throughout the process leading to the establishment of the final voters list, I closely monitored the consultations among the parties, examined and analysed the procedures agreed upon, closely followed the implementation of those procedures, and gave priority to consultation and dialogue with all the national institutions, civil society and stakeholders responsible for managing the electoral process, including political actors, the Facilitator and international partners.

10. I measured that process against two key yardsticks: peace and inclusiveness. While I remain concerned about the violence that disrupted the electoral process in February 2010 and multiple challenges and delays encountered in the implementation of the Ouagadougou Political Agreement and its supplementary agreements, peace and stability have generally prevailed since the signing of the Ouagadougou Political Agreement in 2007.

11. The inclusiveness issue encountered significant challenges. The need for verification of the voters list, as agreed to by the protagonists of the Ouagadougou Political Agreement, was prompted by reports of the "fraudulent" preparation of a parallel list of 429,000 persons by the former president of the Independent Electoral Commission (IEC), in early January 2010. The dissolution of the Independent Electoral Commission and the Government ensued on 12 February 2010. With the Facilitator's assistance, the new Independent Electoral Commission was established on 25 February 2010 whereas the new, complete Government took office on 4 March 2010.

12. At a meeting held on 14 April 2010, the Prime Minister and the President of the Independent Electoral Commission agreed to deal with the "grey list" of 1,033,985 persons in a separate manner. On 15 July 2010, 434,000 persons of the "grey list" have been validated and merged into the "white list" to produce the new provisional voters list of 5,776,784 persons.

13. At the end of a long and winding procedure, however, the Ivorian protagonists finally agreed upon the results of the verification operation and of the appeals process, on 6 September 2010, with minimal modification of the provisional voters

list. This has enabled the establishment of the final voters list by the Independent Electoral Commission, which, at that time, had already concluded its own appeals process. Presidential decree No. 2010-238 of 9 September 2010 authorizing the distribution of national identity cards to 5,750,720 people on the final voters list was subsequently signed. Furthermore, in a press communiqué, this final voters list was endorsed by the members of the Standing Consultative Framework of the Ouagadougou Political Agreement on 21 September 2010.

14. The making of the final voters list of 5,725,720 from the new provisional voters list of 5,776,784 is as follows:

- 55,948 adjourned as a result of verification process.
- 1,261 rejected as biometric duplicates.
- 1,273 cancelled as a result of the appeals process.
- 7,418 added as a result of the appeals process.

15. After a thorough analysis and evaluation of this final voters list, I arrived at the conclusion that this list is, just as in the case of the provisional voters list, solid, balanced, credible and, I should add, certifiable. It is my assessment that, despite multiple challenges and delays, the electoral process has been conducted in an atmosphere that could be qualified as peaceful and stable. The procedures adopted and implemented throughout this process also reasonably gave eligible voters ample opportunity to register to vote. Thus, as Special Representative of the Secretary-General, and in keeping with the certification mandate vested upon me by the Security Council, I have the honour to hereby explicitly certify the final voters list for the upcoming Ivorian elections.

16. At this juncture, I have to point out that my certification role has been facilitated by the Ivorian protagonists' consensual way of taking decisions all along the electoral process. This consensual way of decision-making, although time consuming, was in the end instrumental in ensuring a peaceful environment for the electoral process as well as inclusiveness. For this, I would like to address my sincere appreciation to the Ivorian people and political leaders.

17. It must be noted that the successful establishment of the final voters list in Côte d'Ivoire carries a crucial additional consequence. This is the identification of the population. Now, with the completion of the final voters list, millions of people will soon receive an identity card for the first time in their life. This is a landmark achievement.

18. The challenges lying ahead are not to be underestimated. Yet I remain confident that, together, we shall meet them with success. The Ivorian people, who have suffered and waited for so long, deserve nothing less. I call upon all stakeholders to remain committed to the holding of open, free, fair and transparent presidential and legislative elections, with a view to bringing the Ivorian crisis to a conclusion.

Annex II

[Original: English]

Statement attributable to the Spokesperson for the Secretary-General on the certification process in Côte d'Ivoire

24 September 2010

The Secretary-General notes the certification by his Special Representative for Côte d'Ivoire of the final voters list established by the Independent Electoral Commission. He congratulates the Ivorian political leaders and the Facilitator on this important achievement.

The Secretary-General calls on all Ivorian political actors to build on this consensus in order to maintain a peaceful environment before, during and after the elections, with a view to bringing a peaceful and expeditious conclusion to this process.

He commends the Ivorian people for their patience and hopes this crucial step forward will lead to the holding of open, free, fair and transparent presidential and parliamentary elections. He reiterates the United Nations willingness to assist in accordance with its mandate and resources.
